Remarks/Arguments:

Claims 91-97 are pending, with claims 91 and 97 amended, hereby.

Claims 1-90 and 98-132 are cancelled, without prejudice or disclaimer.

The specification is amended, hereby, by inserting sequence identifiers contained in the Sequence Listing, as required in the Office Action. Additionally, a replacement "Sequence Listing" is submitted, concurrently, herewith – accompanied by the requisite CRF, statement under PTO Rule 821, and an amendment entering the replacement "Sequence Listing" into the record. The replacement "Sequence Listing" adds two additional sequences – SEQ ID NO: 43 (the DNA sequence in Fig. 3a) and SEQ ID NO: 44 (the amino acid sequence in Fig. 3b).

The specification is also amended so that "SEQ ID NO:339737" appears only as found in the subject application as originally filed. As set forth in the subject application (page 15, penultimate ¶), the DNA sequence set forth in Fig. 3a of the subject application "is available from Gen Bank under accession no. M10988, SEQ ID NO:339737." On the other hand, sequence identifier "SEQ ID NO: 43" identifies the DNA sequence in the present "Sequence Listing" that corresponds to the sequence set forth in application Fig. 3a. Accordingly, "SEQ ID NO: 43" is hereby inserted (at page 15 of the specification) after "Fig. 3a" – as the sequence identifier for the DNA sequence in Fig. 3a.

In view of the amendments to the specification effected, hereby, in conjunction with the replacement "Sequence Listing," concurrently submitted, the subject application is in full compliance with the PTO Rules governing biological sequence disclosures.

Claim 91 is rewritten, hereby, as an independent claim – by incorporating claim 90, on which

claim 91 was dependent – and to include, further, as alternatives in a Markush group, the additional

subject matter (limitation) recited in each of claims 92-96. Claims 92-96 are left unchanged.

Claim 97 is rewritten, hereby, as an independent claim – by incorporating claim 77, on which

claim 97 was dependent.

Claims 92-97, as originally presented, were objected to as being dependent on rejected base

claims 77 (claim 97) and 91 (claims 92-96). As none of claims 92-97 as amended, hereby, is

dependent on a rejected base claim (as explained below) the objection is overcome.

Claims 92-97, as originally presented, were implicitly found to be allowable over the prior

art, in accordance with the Office Action. None of originally presented claims 92-97 was included

in any prior art rejection set forth in the Office Action.

Claim 91 as amended, hereby, is allowable over the prior art. As amended, claim 91

incorporates the subject matter of each of claims 92-96, each of which – as explained above – was

found allowable over the prior art. Since claim 91 (as amended) incorporates subject matter found

allowable over the prior art, claim 91 (as amended) is allowable, as well, in accordance with the

finding made in the Office Action. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

The subject matter of present (amended) claims 91-97 contain only subject matter that has

already been searched by the examiner. Therefore, the instant amendment to the claims is

appropriate after final rejection, as it raises no new issues requiring further search or consideration

by the examiner.

The rejection of record under 35 USC 103(a) is rendered moot by the instant Amendment. All the rejected claims are cancelled, hereby, with the exception of claim 91; which, as explained above, is rendered allowable over the prior art by the instant Amendment.
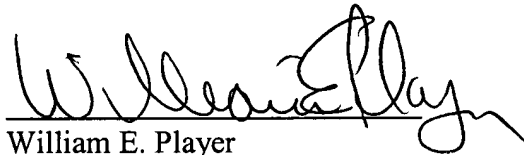
All issues of record having been resolved, the subject application appears to be in immediate form for allowance.

Favorable action is requested.

Respectfully submitted,

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